

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

EMMANUAL OHAI,)
)
Plaintiff,)
)
vs.) CIVIL ACTION FILE
)
) NUMBER 1:20-CV-2220
DELTA COMMUNITY CREDIT UNION,)
PARK TREE INVESTMENTS, L.L.C.,)
DEAN ENGLE, FCI LENDER)
SERVICES, INC., SINGER LAW)
GROUP, DANIEL I. SINGER,)
JAUREGUI, LINDSEY, LONGSHORE)
& TINGLE, MICROBUILT)
CORPORATION and PNC BANK, N.A.,)
)
Defendants.)

DEFENDANT PARK TREE'S MOTION TO RECONSIDER

COMES NOW Park Tree Investments, L.L.C. ("Defendant Park Tree"), a co-Defendant in the above-styled civil action, and hereby files its Motion to Reconsider the Order entered by this Court on January 11, 2021, and shows this honorable Court in support thereof as follows:

Plaintiff filed his Complaint on or about May 26, 2020. Plaintiff later filed an Amended Complaint on or about June 15, 2020. Defendant Park Tree initially filed a Motion to Dismiss the Plaintiff's Complaint, as amended, on June 16, 2020, requesting this honorable Court to dismiss the complaint as amended (or to dismiss the Amended Complaint). That Motion to Dismiss was filed AFTER the Amended Complaint was filed and

served and it specifically referenced various provisions of the Amended Complaint and requested that the Court dismiss that Amended Complaint.

However, the Order entered on January 11, 2021, incorrectly states that such Motion to Dismiss filed by Defendant Park Tree only related to the initial Complaint and not the Amended Complaint, which was filed the day before on June 15, 2021. However, that Motion to Dismiss was filed by Defendant Park Tree AFTER the Amended Complaint was filed and specifically referenced the complaint, **as amended**. Consequently, that Motion to Dismiss actually requested relief against the Amended Complaint, and Defendant Park Tree renews its motion to dismiss herein to again apply to the Amended Complaint.

WHEREFORE, Defendant Park Tree prays that this honorable Court reconsider the Order entered by this Court on January 11, 2021, and that this honorable Court dismiss this case as against Defendant Park Tree as a matter of law.

Respectfully submitted this 19th day of January, 2021.

JOHNSON LEGAL OFFICES, L.L.C.

By: 

Larry W. Johnson
Georgia Bar No. 394896
Attorney for Defendant
Park Tree


138 Hammond Drive, Suite B
Atlanta, GA 30328
Telephone: (404) 486-2361
Facsimile: (404) 393-0826
Email: LJohnson@SuretyBondsAgency.com
ParkTreeOhaiDismissMotion02Recon

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing DEFENDANT PARK TREE'S MOTION TO RECONSIDER was served upon all parties electronically via the Court's system, plus the following who was served by mailing same by United States First Class Mail in a properly addressed envelope with adequate postage affixed thereon to ensure delivery, addressed as follows:

Mr. Emmanuel Ohai
2715 Tradd Court
Snellville, GA 30039

This 19TH day of January, 2021.



Larry W. Johnson
Attorney for Defendant
Park Tree

JOHNSON LEGAL OFFICES, L.L.C.
138 Hammond Drive, Suite B
Atlanta, GA 30328
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Facsimile: (404) 393-0826
Email: LJohnson@SuretyBondsAgency.com